

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

22-CR-109 (LJV)

v.
PAYTON GENDRON,

Defendant.

NOTICE OF MOTION

MOTION BY:

Julie Brain
Attorney at Law

DATE, TIME & PLACE:

Before the Honorable Lawrence J. Vilardo, United States District Judge, Robert H. Jackson United States Courthouse, 2 Niagara Square, Buffalo, New York, on the papers.

SUPPORTING PAPERS:

Admission Petition Form, Admission Sponsor Affidavit, Attorney's Oath, Civility Principles and Guidelines Oath, and Attorney Database and Electronic Case Filing Registration Form.

RELIEF REQUESTED:

Order of the Court for admission to practice Pro Hac Vice to appear as counsel for Payton Gendron in the above-captioned action.

Dated: April 1, 2024
Philadelphia, PA

s/Julie Brain

Julie Brain
916 S. 2nd Street
Philadelphia, PA 19147
(267) 639 0417
Juliebrain1@yahoo.com

TO: Joseph M. Tripi
Brett A. Harvey
Brendan T. Cullinane
Caitlin M. Higgins

Maeve E. Huggins
Assistant United States Attorneys

Laura B. Gilson
Trial Attorney, Civil Rights Division

Michael S. Warbel
Trial Attorney, Criminal Division

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

22-CR-109 (LJV)

v.

PAYTON GENDRON,
Defendant.

MOTION FOR ADMISSION PRO HAC VICE

Pursuant to Rule 83.1(d) of the Local Rules of Civil Procedure of the United States Court for the Western District of New York I, Julie Brain, hereby move this Court for an Order for admission to practice Pro Hac Vice to appear as counsel for Payton Gendron in the above-captioned action.

I am in good standing of the bars of the states of California and Arkansas and the District of Columbia and there are no pending disciplinary proceedings against me in any state or federal court. I have never been convicted of a felony. I have never been censured, suspended, disbarred or denied admission or readmission by any court. As directed by Rule 83.1(d), I have attached hereto: (1) Admission Petition Form; (2) Admission Sponsor Affidavit; (3) Attorney's Oath; (4) Civility Principles and Guidelines Oath; and (5) Attorney Database and Electronic Case Filing Registration Form.

Dated: April 1, 2024
Philadelphia, PA

s/Julie Brain
Julie Brain
916 S. 2nd Street
Philadelphia, PA 19147

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Trial Attorney, Criminal Division

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION OF

JULIE BRAIN

(Name)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

TO THE HONORABLE Lawrence J. Vilardo,
JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NEW YORK:

Julie Brain _____, petitioner herein, respectfully states:

1. That petitioner has an office for the practice of law at:

916 S. 2nd Street, Philadelphia, PA 19147

2. That petitioner attended the following educational institutions and received the following degrees:

University of Warwick (UK) - B.A.(Hons.), New York University School of Law - J.D.

3. Please complete either (a), (b), or (c):

Admission by Petition

- (a) That petitioner was admitted to practice by the Appellate Division of the Supreme Court, _____ Department of the State of New York on the _____ day of _____, _____.

Additional Requirements:

Admission Petition Form
Admission Sponsoring Affidavit
Attorney's Oath
Civility Principles Oath
Attorney Database and Electronic Case Filing Registration Form
Check or money order in the amount of the Attorney Admission fee set forth in the District Court Schedule of Fees
(due on upon admission)

Admission by Certificate of Good Standing

- (b) That petitioner was admitted to practice in the United States District Court of the _____ District of _____ on the _____ day of _____, _____, and is a member of the bar of the State in which that district court is located and in which the petitioner maintains an office for the practice of law.

Additional Requirements:

Original Certificate of Good Standing from the Clerk of Court of which he or she is a member
(dated no earlier than six months prior to submission to this Court)
Admission Petition Form (when attorney admitted to a District Court outside of New York State)
Attorney's Oath
Civility Principles Oath
Attorney Database and Electronic Case Filing Registration Form
Check or money order in the amount of the Attorney Admission fee set forth in the District Court Schedule of Fees
(due on upon admission)

Pro Hac Vice Admission(c) That petitioner is admitted to practice in the State of California, Arkansas, District of Columbia.

Additional Requirements:

Motion to Appear Pro Hac Vice
 Admission Petition Form
 Admission Sponsoring Affidavit
 Attorney's Oath
 Civility Principles Oath
 Attorney Database and Electronic Case Filing Registration Form
 Check, money order, or payment of fee online in the amount of the Pro Hac Vice fee set forth in the District Court Schedule of Fees (due upon application)
 Local Counsel in accordance with Local Rule of Civil Procedure 83.2(a)(1)

4. Petitioner is admitted to the following courts:

U.S.D.C. for C.D. IL; U.S.C.A. for 8th Circuit;

5. Since such admission(s), petitioner has practiced in the following courts:

D.C. Sup. Ct.; D.C. Ct. of App.; Cal. Sup. Ct.; U.S.D.C. for E.D. AR.; U.S.D.C. for W.D. AR.; cont +
and has been involved in the following professional activities:**Practice of criminal defense law**

6. Please respond separately to each of the following questions:

- (a) Have you ever been held in contempt of court? Yes No
- (b) Have you ever been sanctioned by a court? Yes No
- (c) Have you ever been publicly censured, admonished, advised, or cautioned in a disciplinary proceeding? Yes No
- (d) Have you ever been suspended or disbarred by any court? Yes No
- (e) Have you ever been denied admission or readmission to the Bar of any court? Yes No
- (f) Are you now the subject of any pending disciplinary proceeding OR the subject of any pending disciplinary complaint before any court? Yes No

In the case of each affirmative answer to a question set forth above, the applicant shall file a confidential statement under seal disclosing the identity of the responsible court or disciplinary committee, as well as the date, background, outcome and any facts of a mitigating or exculpatory nature as may be pertinent. Such confidential statement, together with the petition, shall promptly be transmitted by the Clerk to the Chief Judge of the District for review, or in the case of a pro hac vice admission to the presiding judge.

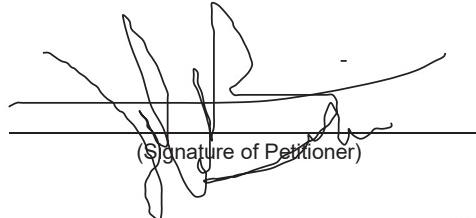
7. That petitioner has read and is familiar with the provisions of Title 28 of the United States Code which pertains to jurisdiction of and venue in a United States District Court, the Federal Rules of Civil and Criminal Procedures, the Federal Rules of Evidence, the Local Rules of Practice for the United States District Court for the Western District of New York, the Code of Professional Responsibility as adopted by the Appellate Division of the State of New York and as interpreted and applied by the United States Supreme Court, the United States Court of Appeals for the Second Circuit, and this Court.

WHEREFORE, the petitioner respectfully requests to be admitted as an attorney in the United States District Court for the Western District of New York.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: April 1, 2024

(Date)



(Signature of Petitioner)

(Revised August 30, 2023)

U.S.D.C. for W.D. AR.; Circuit Ct. of Crawford County, AR; U.S.D.C. for C.D. IL;
U.S.C.A. for 8th Circuit; U.S.D.C. for D. MD.; U.S.D.C. for E.D. VA; U.S.D.C. for
S.D.N.Y.; U.S.D.C. for E.D.N.Y.; U.S.D.C. for W.D.PA.

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

IN THE MATTER OF THE APPLICATION OF

Julie Brain

(Name of Petitioner)

TO BE ADMITTED TO PRACTICE AS AN ATTORNEY

**SPONSORING
AFFIDAVIT**

STATE OF NEW YORK)
) ss:
COUNTY OF)

Sonya Zoglin, being duly sworn deposes and says:

Name of Sponsor

1. I reside at: **Rochester, New York**

City, State

and maintain an office for the practice of law at: **Federal Public Defender's Office for the Western District of New York,
28 East Main Street, Suite 400, Rochester, NY 14614**

2. I am an attorney at law, admitted to practice in the **State of New York**

, I was admitted to practice in the United States District Court for the
Western District of New York on the **5th** day of **September**, **2017**.

3. I have known the petitioner since **May 2022** and under the following

circumstances: **Ms. Brain was previously the Federal Capital Resource Counsel and we are now co-counsel on a federal capital case.**

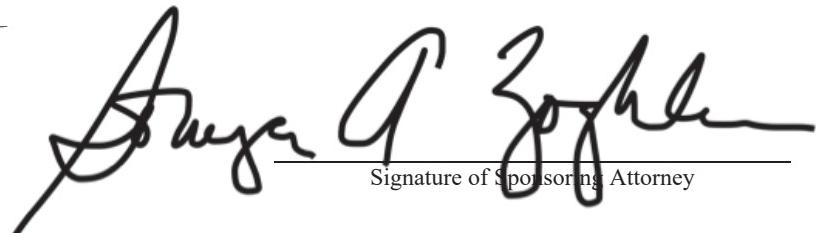
We have worked closely together in that context.

4. I know the following about the petitioner's moral character and fitness to be admitted to practice in this Court: _____

Julie Brain is of excellent moral character and of the utmost fitness to practice law.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: **March 30, 2024**
Date



The image shows a handwritten signature in black ink, which appears to be "Sonya A. Zoglin". The signature is fluid and cursive, with "Sonya" on top, "A." in the middle, and "Zoglin" on the bottom right.

Signature of Sponsoring Attorney

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

ATTORNEY'S OATH

STATE OF PENNSYLVANIA)
PHILADELPHIA) SS:
COUNTY)

I, JULIE BRAIN of Philadelphia, PA

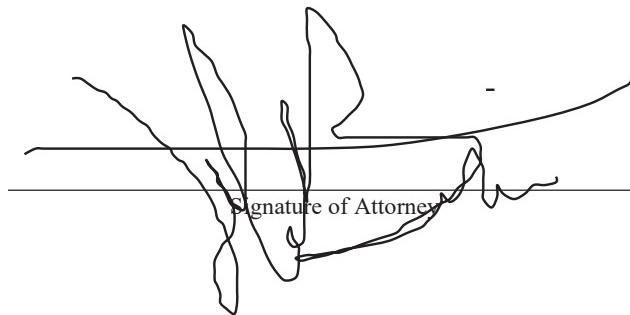
City, State

do solemnly swear or affirm that I will demean myself, as an attorney and counselor of the United States District Court for the Western District of New York, uprightly and according to law; and I will support the Constitution of the United States. So help me God.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on: April 1, 2024

Date



A handwritten signature of Julie Brain is written over two horizontal lines. The signature is fluid and cursive, with the name "Julie Brain" clearly legible. A small label "Signature of Attorney" is placed near the bottom right of the signature.

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK**

**APPENDIX TO CIVILITY PRINCIPLES
OATH OF OFFICE**

I do solemnly swear (or affirm):

I will support the Constitution of the United States and the Constitution of the State of New York; I will maintain the respect due to Courts of Justice and judicial officers;

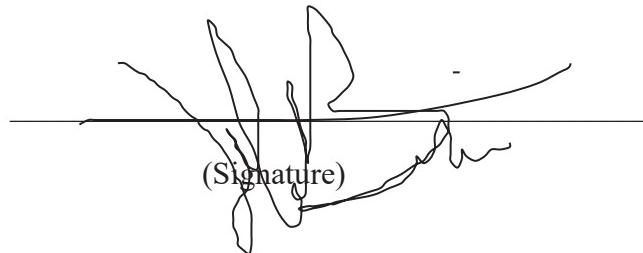
I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust nor any defense that I do not believe to be honestly debatable under the law of the land;

In maintaining the causes confided to me, I will employ only means that are honorable, and will never seek to mislead the judge or jury by an artifice or false statement of fact or law;

I will maintain the confidences and preserve inviolate the secrets of my client, and will accept compensation solely from the client or a third-party with the knowledge and approval of the client;

I will abstain from all offensive behavior and advance no fact prejudicial to the honor and reputation of a party or witness, unless my ethical duty requires;

I will in all other respects conduct myself personally and professionally in conformity with the high standards of conduct imposed upon members of the bar who practice law in this State and before this Court.



A handwritten signature is written over a horizontal line. The signature is fluid and cursive, appearing to read "John Doe". Below the signature, the word "(Signature)" is printed in a small, sans-serif font.

UNITED STATES DISTRICT COURT

Western District of New York

ATTORNEY DATABASE & ELECTRONIC CASE FILING REGISTRATION FORM

The Clerk's Office maintains a database of attorneys admitted in the District. To ensure the data we enter for you is correct, please fill out the form below and submit it with your other papers when you are admitted. Our local rules require you to report changes to your name, firm affiliation, office address, email, and/or phone number within 30 days.

This form shall also be used to register for an account on the Courts' Case Management/Electronic Files (CM/ECF) system. Registered attorneys will have privileges to electronically submit and to view the electronic docket sheets and documents. By registering, attorneys consent to receiving electronic notice of filings through the system. The following information is required for registration.

Instructions: PLEASE TYPE OR PRINT. If you use two surnames or have a hyphenated surname, please indicate how you would like the name entered into our records, i.e., first surname as middle name, both surnames in last name field, etc.

Check One:	<input checked="" type="checkbox"/>	New Registration	<input type="checkbox"/>	Update Address/Email/Phone
First Name:	Julie			
Middle Name or Initial:	C.			
Last Name:	Brain			
Firm Name:	Law Office of Julie Brain PLLC			
Firm Address:	916 S. 2nd Street			
Suite:				
City:	Philadelphia	PENNSYLVANIA	State:	Zip: 19147 -
Phone Number:	267	639	0417	FAX Number: _____
Primary E-Mail Address:	juliebrain1@yahoo.com			
Additional E-Mail Address(es) to receive notices:				